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*Counsel for Plaintiff Andrew Okusko*

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

ANDREW OKUSKO, individually and on behalf  
of all others similarly situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., THE  
TEZOS FOUNDATION, KATHLEEN  
BREITMAN, ARTHUR BREITMAN, and  
TIMOTHY DRAPER,

Defendants.

Case No. 3:17-cv-06829-RS

**CLASS ACTION**

**PLAINTIFF'S NOTICE OF MOTION AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

**[This motion will be subject to a motion for an  
order shortening time pursuant to L.R. 6-1.]**

Date: January 11, 2018  
Time: 1:30 p.m.  
Judge: Hon. Richard Seeborg  
Ctrm.: 3, 17<sup>th</sup> Floor

**TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that on January 11, 2018, at 1:30 p.m., or as soon as the matter may  
be heard, in Courtroom 3, 17<sup>th</sup> Floor of the Honorable Richard Seeborg of the United States District  
Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, CA

94102, Plaintiff Andrew Okusko (“Plaintiff”), by and through his respective attorneys, will and hereby does move this Court under Rule 65 of the Federal Rules of Civil Procedure, to preliminarily enjoin Defendants Dynamic Ledger Solutions, Inc. (“DLS”), The Tezos Foundation, Kathleen Breitman (“K. Breitman”), and Arthur Breitman (“A. Breitman,” and together with K. Breitman, the “Breitman Defendants,” and collectively with DLS, The Tezos Foundation, and K. Breitman, “Defendants”), from transferring or dissipating assets raised in connection with the Tezos ICO, including, but not limited to, Bitcoin, Ether, and any other assets that Defendants have since purchased with funds raised in the Tezos ICO. Such assets rightfully belong to Plaintiff and the Class and thus Plaintiff seeks an order (i) preliminarily enjoining the Breitman Defendants from requesting or receiving funds from the investments collected during the Tezos ICO for the payment of legal fees involving this and related actions alleging Defendants unlawfully offered and sold unregistered securities during the Tezos ICO; (ii) preliminarily enjoining Defendants from making further transfers or dissipations of the investments collected during the Tezos ICO, or using such funds in any further purchases or transactions; (iii) requiring an accounting of the remaining funds and assets invested by Plaintiff and the Class; (iv) freezing Defendants’ accounts holding the funds invested during the Tezos ICO; and (v) imposing a constructive trust over the funds and assets rightfully belonging to Plaintiff and the Class, pending a determination by the Court on whether Tezos ICO investors are entitled to rescission of their BTC and ETH investments due to Defendants’ violations of the federal securities laws.

As detailed in the accompanying Memorandum of Points and Authorities, Plaintiff alleges Defendants offered and sold unregistered securities during the Tezos ICO in direct violation of Sections 12(a)(1) and 15(a) of the Securities Act of 1933, entitling Plaintiff and investors in the Tezos ICO the right to rescission of their investments, and Plaintiff respectfully requests that the Court enjoin Defendants from making any transfers of the investments raised by the Tezos ICO, pending a determination by the Court as to whether Tezos ICO investors are entitled to a rescission of their investments made relating to the Tezos ICO.

1 This Motion is made and based on this Notice, the accompanying Memorandum of Points and  
2 Authorities, the declaration of Rosemary M. Rivas and the exhibits thereto, the proposed order granting  
3 preliminary injunction, all records and files in this action, and such other matter, evidence, and  
4 argument as may be presented at or prior to the a hearing on the Motion.

5 Respectfully submitted,

6 Dated: December 4, 2017

**LEVI & KORSINSKY, LLP**

7 By: /s/ Rosemary M. Rivas  
8 Rosemary M. Rivas  
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15 *Counsel for Plaintiff Andrew Okusko*  
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**PROOF OF SERVICE**

I hereby certify that on December 4, 2017, I authorized the electronic filing of the foregoing:

1. PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR PRELIMINARY INJUNCTION;
2. PLAINTIFF'S MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION;
3. DECLARATION OF ROSEMARY M. RIVAS IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION; and
4. [PROPOSED] ORDER GRANTING PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

using the CM/ECF system and I hereby certify that I caused to be mailed these documents via the United States Postal Service to the following defendant:

Dynamic Ledger Solutions, Inc.  
c/o Jeffrey Kaban, Esq.  
COOLEY LLP  
3175 Hanover Street  
Palo Alto, CA 94304

I further certify that I caused to be personally served the above documents along with the summons, complaint, and other new case documents upon the following defendants:

Arthur Breitman  
111 N. Rengstorff Avenue, Apt. 78  
Mountain View, CA 94043

Kathleen Breitman  
111 N. Rengstorff Avenue, Apt. 78  
Mountain View, CA 94043

Timothy Draper  
172 Elena Avenue  
Atherton, CA 94027

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 4, 2017, in San Francisco, California.

/s/ Rosemary M. Rivas  
Rosemary M. Rivas